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**Z-2448**  
**CROWN CASTLE SOUTH LLC**  
**GB TO I1**

**STAFF REPORT**  
**March 10, 2011**

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**REQUEST MADE, PROPOSED USE, LOCATION:**

Petitioner, with consent of owner Castle Elmwood LLC, is requesting the rezoning of 3,200 square feet from GB to I1 for an existing primary communications tower. The tower is currently non-conforming and this rezone would allow additional carriers. The Lafayette Division of the Area Board of Zoning Appeals will hear variances for this tower regarding the required setbacks, bufferyard and lot size. The tower is located on the east side of Erie Street immediately north of N. 19<sup>th</sup> Street, Lafayette, Fairfield 21 (NE) 23-4.

**ZONING HISTORY AND AREA ZONING PATTERNS:**

The site in question is zoned General Business as is all surrounding land. R2 zoning is located west of Erie Street and south of Elmwood Avenue with a few areas of R3 interspersed. An NB zoned lot is located at the southwest corner of Wilson and 19<sup>th</sup> Streets; this lot was rezoned in 2006 for Newton Oil (Z-2275).

**AREA LAND USE PATTERNS:**

This site sits within a triangle of commercial and retail uses including Market Square, a bowling alley and a small commercial building. Outside of this triangle, north of Erie and south of Elmwood, uses are predominantly residential.

**TRAFFIC AND TRANSPORTATION:**

The site is located on Erie Street, a primary arterial according to *The Thoroughfare Plan* of Tippecanoe County. Traffic counts taken in 2006 indicate nearly 5,000 vehicles pass this site daily.

**ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

No well or septic are required for this use.

A type 'A' bufferyard is required where I1 zoning abuts GB zoning.

**STAFF COMMENTS:**

This tower was built in the early 1990's at a time when city and APC staffs thought the cellular component of public utilities could not be regulated locally by zoning. Rezoning this non-conforming (based on earlier interpretations) tower to I1 will allow for additional carriers to locate on this tower. Variances regarding setbacks, lot size and bufferyard will be needed from the Lafayette Division of The Area Board of Zoning Appeals.

I1 zoning for an existing cell tower in this location will not be intrusive to neighboring uses and is compatible with the surrounding GB zoning. In fact, I1 is more restrictive than the surrounding GB zoning because all work, storage and loading is required to be indoors.

**STAFF RECOMMENDATION:**

Approval